

Conflict, Hunger and International Humanitarian Law

Wednesday, 1 May 2019, DCU

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EVENT DETAILS

On the 1st of May 2019, the Development Studies Association of Ireland's Humanitarian Action Study Group (DSAI HASG) hosted a workshop at Dublin City University on Conflict, Hunger & International Humanitarian Law (IHL).

The workshop sought to build knowledge, understanding, and programming, research and advocacy capacity in this area. The aim was to initiate a discussion to identify:

- Practical steps NGOs in Ireland can take to engage with and support prevention of, response to, and accountability for conflict-induced food insecurity and starvation as a method of warfare;
- Specific research gaps and opportunities for collaboration in the area of UNSCR 2417, protection of civilians, IHL, protracted crises, and the Irish government's role in these areas;
- Key advocacy messages and audiences that the humanitarian, human rights and research community in Ireland can collectively support around conflict, hunger and IHL.

The workshop was followed by a panel discussion in Trinity College Dublin, with representatives from Action against Hunger, Global Rights Compliance and Irish Aid.

BACKGROUND AND RATIONALE

In May 2018, the landmark UN Security Council Resolution 2417 on the Protection of Civilians in Armed Conflict was unanimously passed. The resolution is specifically focused on conflict-induced food insecurity, famine and the starvation of civilians as a method of warfare, and for the first time, brings this issue explicitly to the attention of the UN Security Council.

The resolution is simultaneously intended to trigger early action in response to worsening food crises, ensure documentation and reporting on violations, and promote compliance and legal accountability.

Ireland has a strong track record and growing focus on food and protection as core themes of its international development policy, including drawing on the Irish experience as a basis for Irish advocacy for the elimination of famine and hunger worldwide.

Humanitarian NGOs, researchers and human rights groups across Ireland work extensively in the areas of food security and nutrition programming in conflict, humanitarian action, protection of civilians, IHL, human rights law, and international social justice.

The workshop provided an opportunity for humanitarian actors, researchers, legal and human rights experts in Ireland and internationally to explore opportunities to engage with and support initiatives to strengthen the prevention of, response to, and accountability for, conflict-induced food insecurity in our areas of operation, at a global level, and through engagement with the Irish government.

As we approach the one-year anniversary of UNSCR 2417, this briefing summarises key points of the day's discussions, and priority areas for action and collaboration in the future to build on the momentum of this flagship Resolution.

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COLLECTING, SHARING AND USING DATA

The importance of data collection, reporting and sharing was a consistent theme in the day's discussions. The efficacy of UNSCR 2417 and other early warning, early action initiatives depends in the first instance on the availability of reliable and actionable data documenting:

- The levels and nature of hunger and malnutrition;
- Instances of attacks on food, food systems, or objects indispensable to food production; and
- Actions that restrict humanitarian relief or target humanitarian actors or operations.

These data can serve several purposes, including triggering early action in response to or anticipation of a worsening food crisis; informing advocacy with governments, donors and international organisations; deepening our understanding of the relationship between food crises and conflict; and/or serving as evidence in pursuit of accountability for violations of international law.

Participants discussed whether new data collection is required – for example, through a central, impartial reporting system to the UN, or through systematic and routine requirements for reporting introduced by donors. At the same time, it may be possible to make better use of data systems already in place, through more coordinated efforts to pool disparate data sources on hunger and humanitarian access in coordination forums and alliances.

The significance of gender- and age-sensitive programming by humanitarian actors was also highlighted, as both conflict and hunger are profoundly gendered and shaped by indicators of social difference. At the heart of this is a need for more robust, disaggregated data and analysis of the differentiated impacts of conflict and hunger within and across communities.

Participants also discussed the potential obstacles to NGOs engaging in this kind of data collection, including the diverse mandates and areas of expertise of different actors; balancing competing demands and limited resources in volatile environments; and the risks of restrictions on humanitarian space and operations potentially putting national civil society organisations, local partners, and affected communities at risk.

Reflecting on the wider humanitarian system and context, the discussion touched on how to ensure that women and men of all ages and backgrounds from affected populations – and their distinct voices, experiences and priorities – are at the centre of prevention, response and accountability initiatives, while not compromising their security or dignity. These pose particular dilemmas in a humanitarian system increasingly characterised by low donor risk appetite, growing concentration of needs in fragile and conflict-affected contexts, and concerns over the use of legislation (such as counter-terrorism legislation) restricting principled humanitarian action.

Related to this, the importance of responsible data management practices by NGOs and researchers that safeguard affected populations and witnesses, and maintain the highest possible standards of evidence, was highlighted. Learning from the practices of legal and human rights counterparts could prove valuable in strengthening systems among humanitarian and research actors .

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RESEARCHING ACCOUNTABILITY

Discussion also highlighted several gaps in documentation, research and evidence that are vital to progress on prevention, response and accountability. There is a need for better documentation of how starvation is inflicted in different contexts. This should explore and analyse the diversity of contexts, methods and strategies, such as targeted destruction of food, production and storage systems, and related infrastructure; blockades or sieges; or targeted attacks on civilians when they seek food assistance. It is also important to better understand how climate change acts as an aggravating factor that exacerbates vulnerabilities in contexts of conflict.

Learning from historical contexts was identified as particularly important, to highlight how a focus on accountability for starvation specifically changes our framing and understanding of past crises. Documenting and analysing the lessons of other human rights, IHL and accountability initiatives and campaigns, such as the Women, Peace and Security and climate justice agendas, could also result in valuable learning from successes and challenges in global activism.

Research can also make an important contribution by documenting historical and contemporary instances of compliance and violations of customary international law was also raised as a way of strengthening these norms over time.

A final consideration in collecting data and evidence for research and legal purposes, is how to build better connections across research, policy and practice. Evidence collected to a high legal standard can also serve a vital function in advocacy and campaigning, but only if networks across different sectors facilitate sharing and collaboration.

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SHAPING POLICY AND ENGAGING THE PUBLIC

Concrete policy actions and key advocacy messages to shape Irish policy and engage the public were also discussed.

As Ireland is currently seeking a seat on the UN Security Council, there is a specific opportunity for leadership on this issue in multilateral institutions. As food security and the elimination of famine are key themes in Ireland's new international development policy, *A Better World*, Ireland should become a champion of UNSCR 2417 and associated initiatives at the UN. In concrete terms, this would involve Ireland raising the profile of the resolution in different forums and highlighting the need for more reporting on accountability and violations; connecting its work on other areas of peace and conflict (such as the Women, Peace and Security agenda) with work on conflict and hunger; and sponsoring and financing dedicated resources, such as a Special Rapporteur or Experts' Group on starvation crimes. Beyond the UN, Ireland's support for criminal accountability mechanisms, such as the proposed amendment to the Rome Statute to include starvation in non-international armed conflicts, could help remove legal obstacles to accountability.

In engaging the public, researchers and civil society groups can also take action. Participants emphasised the need to make famine 'morally toxic,' and build on moral outrage over starvation. To achieve this, activists can use stronger language, emphasising that starvation is deliberately inflicted, rather than an inevitable consequence of conflict. The links between famine crimes globally and the domestic sphere should also be emphasised through an analysis of the 'supply chain' of hunger, highlighting the links between international business practices, human rights and domestic policy.

Finally, meaningful policy change will depend on building, linking with, and strengthening diverse alliances. This includes fostering collaboration across diverse and disparate sectors and areas of expertise. It also means a commitment to meaningful and equal partnership with groups leading on this work in the Global South. This should be done in a way that amplifies the work of local, national and regional civil society organisations and movements, and ensures affected populations are at the heart of action for prevention, response and accountability.

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RECOMMENDATIONS

NGOs SHOULD:

- **Coordinate in different contexts to map existing gender- and age-sensitive data collection** on i) hunger and malnutrition; ii) attacks on food and wider food systems; and iii) restrictions on humanitarian assistance. Recognising the diverse mandates of different organisations and diverse operating contexts, this mapping would help determine whether gaps in data require new initiatives, or enhanced efforts to more effectively use data systems already in place;
- **Liase with UN bodies with a responsibility for reporting on conflict, hunger and famine** on the establishment of data sharing mechanisms that allow NGOs to safely, responsibly and reliably share relevant data without compromising the security of affected populations, local partners, staff, or operations;
- **Use active language that highlights the deliberate infliction of starvation when discussing food crises and famine**, and invest in analyses and campaigns that highlight the links between domestic business and human rights practices and conflict and hunger globally;
- **Build diverse coalitions that strengthen linkages** with humanitarian, legal and human rights actors with different areas of expertise and mandates, and with groups and coalitions in the Global South, to ensure affected populations are at the heart of prevention, response and accountability; and
- **Continue to advocate for humanitarian space and unhindered access for principled humanitarian action**, highlighting the implications of low donor tolerance of risk and restrictive counter-terrorism legislation, in particular, on NGOs' ability to deliver assistance to those most in need, and document levels of need and drivers of crises in those contexts.

RESEARCHERS SHOULD:

- **Build the evidence and knowledge base of how starvation is perpetrated** in different contemporary and historical contexts, recording, analysing and strengthening our understanding of different tactics, strategies and patterns in the targeting of food, food systems and related infrastructure or objects;
- **Document and analyse learning from past global accountability initiatives and activism**, such as the Women, Peace and Security agenda and movement for climate justice, to better understand what can be learned from their successes and effective strategies for engaging policymakers and the public; and
- **Build diverse coalitions that strengthen linkages** with humanitarian, legal and human rights actors to help ensure that valuable data and evidence collected to the highest possible standard can be leveraged to inform wider advocacy work and campaigns to influence policy makers and the general public.

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RESOURCES

- **Action Against Hunger, Concern Worldwide, NRC, Oxfam, Save the Children and World Vision's** briefing on conflict and hunger, <https://www.actionagainsthunger.org/publication/2018/09/conflict-and-hunger-how-un-and-member-states-can-help-break-cycle>
- **Starvation Accountability project**, by Global Rights Compliance and the World Peace Foundation <http://starvationaccountability.org>
- **GLANLaw and Bellingcat's 'Yemen Project'** <https://yemen.bellingcat.com/>
- **Government of Ireland, *A Better World: Ireland's Policy for International Development*** <https://www.irishaid.ie/about-us/policy-for-international-development/>
- **ICRC and Privacy International** report on metadata and doing no harm in the digital era, <https://privacyinternational.org/report/2509/humanitarian-metadata-problem-doing-no-harm-digital-era>
- **Development Studies Association of Ireland (DSAI) website** for updates, news, events and further resources <https://www.dsaireland.org/>

THE IRISH GOVERNMENT SHOULD:

- **Become a champion of UNSCR 2417 at the UN.** Building on Ireland's historical experience of famine, the centrality of conflict and hunger in its new international development policy, and Ireland's commitment to multilateralism, Ireland can take tangible steps to champion this initiative at the UN. These steps should include sponsoring and financing dedicated resources at the UN, such as a Special Rapporteur or Experts' Group on starvation crimes or conflict and hunger;
- **Raise starvation crimes and the need for reporting on violations** in various forums in which Ireland takes part, including venues such as the Peacebuilding Commission and when taking part in briefings by UN bodies such as the WFP and FAO; and
- **Strengthen synergies in its work on other areas of peace and conflict** (such as the Women, Peace and Security agenda) with work on conflict and hunger. This work should recognise and respond to both the gendered and differential impacts of conflict and hunger on women, girls, men and boys, but also the enormous potential of women and young people to be agents of change and leaders in these contexts.